

ASSEMBLY BILL

No. 2694

Introduced by Assembly Member Blumenfield

February 19, 2010

An act to amend Section 60010 of, and to add Section 60052 to, the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 2694, as introduced, Blumenfield. Instructional materials.

Existing law provides for the adoption and selection of instructional materials for use in the elementary and secondary schools and defines “supplementary instructional materials” as instructional materials that, for a given subject and at a given grade level, provide for meeting the various learning ability levels of pupils, or meeting the diverse educational needs of pupils with a language disability or of pupils reflective of a condition of cultural pluralism, or that provide more complete coverage of a subject or subjects included in a given course.

This bill would include in the definition of “supplementary instructional materials” instructional materials that use current relevant technology that further engage interactive learning in the classroom and beyond and would require the governing board of a school district, when adopting instructional materials for use in schools, to include the use of relevant technological instructional materials if the materials are both available and comparable to other, equivalent instructional materials.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 60010 of the Education Code is amended
2 to read:

3 60010. For purposes of this part, the following terms have the
4 following meanings unless the context in which they appear clearly
5 requires otherwise:

6 (a) “Basic instructional materials” means instructional materials
7 that are designed for use by pupils as a principal learning resource
8 and that meet in organization and content the basic requirements
9 of the intended course.

10 (b) “Commission” means the Curriculum Development and
11 Supplemental Materials Commission.

12 (c) “Curriculum framework” means an outline of the components
13 of a given course of study designed to provide state direction to
14 school districts in the provision of instructional programs.

15 (d) “District board” means the board of education or governing
16 board of a county, city and county, city, or other district that has
17 the duty to provide for the education of the children in its county,
18 city and county, city, or district.

19 (e) “Elementary school” means all public schools in which
20 instruction is given through grade 8 or in any one or more of those
21 grades.

22 (f) “Governing boards” means the state board and any one or
23 more district boards.

24 (g) “High school” means all public schools other than
25 elementary schools in which instruction is given through grade
26 12, or in any one or more of those grades.

27 (h) “Instructional materials” means all materials that are
28 designed for use by pupils and their teachers as a learning resource
29 and help pupils to acquire facts, skills, or opinions or to develop
30 cognitive processes. Instructional materials may be printed or
31 nonprinted, and may include textbooks, technology-based
32 materials, other educational materials, and tests.

33 (i) “Nonpublic school” means a school that both satisfies the
34 requirements of Section 48222, and is exempt from taxation under
35 Section 214 of the Revenue and Taxation Code.

36 (j) “School official” means a member of a governing board, a
37 city, county, city and county, or district superintendent of schools,
38 and a principal, teacher, or other employee under his or her charge.

1 (k) “State board” means the State Board of Education.

2 (l) “Supplementary instructional materials” means instructional
3 materials designed to serve, but not be limited to, one or more of
4 the following purposes, for a given subject, at a given grade level:

5 (1) To provide more complete coverage of a subject or subjects
6 included in a given course.

7 (2) To provide for meeting the various learning ability levels
8 of pupils in a given age group or grade level.

9 (3) To provide for meeting the diverse educational needs of
10 pupils with a language disability in a given age group or grade
11 level.

12 (4) To provide for meeting the diverse educational needs of
13 pupils reflective of a condition of cultural pluralism.

14 (5) *To use current, relevant technology that further engages*
15 *interactive learning in the classroom and beyond.*

16 (m) (1) “Technology-based materials” means basic or
17 supplemental instructional materials that are designed for use by
18 pupils and teachers as learning resources and that require the
19 availability of electronic equipment in order to be used as a learning
20 resource. Technology-based materials include, but are not limited
21 to, software programs, video disks, compact disks, optical disks,
22 video and audio tapes, lesson plans, and data bases.

23 (2) Technology-based materials do not include the electronic
24 equipment required to make use of those materials, unless that
25 equipment is to be used by pupils and teachers as a learning
26 resource. However, this shall not be construed to authorize a school
27 district to replace computers or related equipment in an existing
28 computer lab or allow a school district to establish a new computer
29 lab.

30 (3) Nothing in this subdivision shall be construed to relieve a
31 school district of the obligation to provide pupils with sufficient
32 textbooks or instructional materials pursuant to paragraph (1) of
33 subdivision (c) of Section 60119. If a county office of education
34 determines that a school district is out of compliance with
35 paragraph (1) of subdivision (c) of Section 60119, that school
36 district is not authorized to procure electronic equipment pursuant
37 to paragraph (2) of this subdivision.

38 (n) “Test” means a device used to measure the knowledge or
39 achievement of pupils.

40 SEC. 2. Section 60052 is added to the Education Code, to read:

1 60052. When adopting instructional materials for use in
2 schools, the governing board of a school district shall include the
3 use of relevant technological instructional materials if the materials
4 are both available and comparable to other, equivalent instructional
5 materials.

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